

立法會
Legislative Council

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by the Administration)

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**Subcommittee on Waste Disposal (Designated Waste Disposal Facility)
(Amendment) Regulation 2013 (Commencement) Notice 2014 and
Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013
(Commencement) Notice**

**Minutes of first meeting held on
Friday, 9 January 2015, at 10:45 am
in Conference Room 2A of the Legislative Council Complex**

Members present : Hon Cyd HO Sau-lan, JP (Chairman)
Hon CHAN Hak-kan, JP
Hon Frankie YICK Chi-ming
Dr Hon Kenneth CHAN Ka-lok
Dr Hon Elizabeth QUAT, JP
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP

Member absent : Hon Tony TSE Wai-chuen, BBS

Public Officers attending : Agenda item II

Mr Howard CHAN
Deputy Director of Environmental Protection

Dr Ellen CHAN
Assistant Director of Environmental Protection

Mr CHEN Che-kong
Principal Environmental Protection Officer
(Waste Transfer & Development)

Mr Alex LAI
Government Counsel
Department of Justice

Clerk in attendance : Mr Derek LO
Chief Council Secretary (1)5

Staff in attendance : Mr Bonny LOO
Assistant Legal Adviser 3

Mr Daniel SIN
Senior Council Secretary (1)7

Ms Michelle NIEN
Legislative Assistant (1)5

Action

I Election of Chairman

Ms Cyd HO, the member with the highest precedence in the Council among all members of the Subcommittee present, presided over the election of Chairman of the Subcommittee. She invited nominations for the chairmanship of the Subcommittee.

2. Ir Dr LO Wai-kwok nominated Ms Cyd HO, and the nomination was seconded by Mr TANG Ka-piu and Mr POON Siu-ping. Ms Cyd HO accepted the nomination. There being no other nomination, Ms Cyd HO was elected Chairman of the Subcommittee.

3. Members agreed that there was no need to elect a Deputy Chairman.

II Meeting with the Administration

(L.N. 154 of 2014

—Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 (Commencement) Notice 2014

L.N. 155 of 2014	—Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013 (Commencement) Notice
File Ref: EP193/10/01/06	—Legislative Council Brief
LC Paper No. LS21/14-15	—Legal Service Division Report
LC Paper No. CB(1)405/14-15(01)	—Marked-up copy of the Waste Disposal (Designated Waste Disposal Facility) Regulation prepared by the Legal Service Division (Restricted to members)
LC Paper No. CB(1)405/14-15(02)	—Marked-up copy of the Waste Disposal (Refuse Transfer Station) Regulation prepared by the Legal Service Division (Restricted to members)
LC Paper No. CB(1)405/14-15(03)	—Paper on Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 (Commencement) Notice 2014 and Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013 (Commencement) Notice prepared by the Legislative Council Secretariat (Background brief)

Discussion

4. The Subcommittee deliberated (index of proceedings in the **Appendix**).
5. At 11:03 am, the Chairman suspended the meeting to facilitate members' participation in a division of the Public Works Subcommittee meeting being held concurrently. The meeting resumed at 11:10 am.
6. Members raised no objection to the Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 (Commencement) Notice 2014 and Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013 (Commencement) Notice (collectively as "Commencement Notices").
7. In response to the queries from Mr TANG Ka-piu, the Administration advised that, subject to satisfactory progress of the implementation of the Waste Diversion Plan, it intended to gazette a commencement notice before the end of

the current Legislative Council session in July 2015 to give effect to the part of the Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 which specified the Southeast New Territories Landfill as a designated disposal facility to accept only construction waste and not municipal solid waste at the end of 2015. The Administration undertook to report to the Panel on Environmental Affairs on the progress of the various measures under the Waste Diversion Plan before the gazettal of the said commencement notice.

8. The Chairman concluded that the Subcommittee had completed scrutiny of the two Commencement Notices, and the Subcommittee would not propose any amendment to them.

9. Members noted that the scrutiny period for the two Commencement Notices would expire on 14 January 2015. Given the lead time required to report the work of the Subcommittee to the House Committee, the Chairman said that she would move a motion at the Council meeting of 14 January 2015 to extend the scrutiny period to the Council meeting of 4 February 2015. Members further noted that the Chairman would submit the report on the deliberations of the Subcommittee at the House Committee meeting on 23 January 2015.

(Post-meeting note: The Chairman's motion to extend the scrutiny period was passed by the Council on 14 January 2015.)

III Any other business

10. There being no other business, the meeting ended at 11:28 am.

Council Business Division 1
Legislative Council Secretariat
22 January 2015

**Proceedings of first meeting of the
Subcommittee on Waste Disposal (Designated Waste Disposal Facility) (Amendment)
Regulation 2013 (Commencement) Notice 2014 and
Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013 (Commencement) Notice
on Friday, 9 January 2015, at 10:45 am
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Election of Chairman			
000030 – 000140	Ms Cyd HO Ir Dr LO Wai-kwok Mr TANG Ka-piu Mr POON Siu-ping	Election of Chairman	
Meeting with the Administration			
000141 – 000550	Chairman Administration	Briefing by the Administration on the Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 (Commencement) Notice 2014 and Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013 (Commencement) Notice (collectively as "Commencement Notices") (Legislative Council ("LegCo") Brief (File Reference: EP193/10/01/06)).	
000551 – 001300	Chairman Mr TANG Ka-piu Administration	Mr TANG Ka-piu queried – (a) whether the Administration would gazette the commencement notice before the end of the current LegCo session to specify the Southeast New Territories ("SENT") Landfill as a designated waste disposal facility which would accept only construction waste and would no longer accept municipal solid waste ("MSW"); (b) the impact on the waste collection trade, of the requirement for refuse collection vehicles ("RCVs") driven into a specified landfill or Refuse Transfer Station ("RTS") to be equipped with a metal tailgate cover and a waste water sump tank; (c) whether the utilization of landfill gas as fuel would help reduce carbon emissions and odour from landfills; and (d) the reasons for not utilizing the landfill gas from the West New Territories ("WENT") Landfill for energy conversion.	

Time marker	Speaker	Subject(s)	Action required
		<p>The Administration responded that –</p> <ul style="list-style-type: none"> (a) subject to satisfactory progress of the implementation of the Waste Diversion Plan, it intended to gazette a commencement notice before the end of the current LegCo session in July 2015 to specify that the SENT Landfill would only accept construction waste and not MSW at the end of 2015 and the Panel on Environmental Affairs ("EA Panel") would be informed of the details and progress before the said commencement notice was gazetted; (b) most RCVs had been retrofitted with metal tailgate covers and water sump tanks of the required specifications. Retrofitting works of the remaining 22 RCVs were expected to be completed before 1 April 2015; (c) the on-going collection and utilization of landfill gas for energy conversion was not targeted at reducing odour, but to optimize the use of resources, which would also help reduce carbon emissions. Part of the landfill gas was already being used to generate electricity and heat energy to support landfill operations; and (d) the West New Territories ("WENT") Landfill operator was liaising with the relevant power companies on the possible use of surplus landfill gas from the WENT Landfill. <p>The Chairman asked the Administration to report to the EA Panel on the progress of RCV retrofitting works and other measures before the arrangements under the Commencement Notices took effect, and any contingency measures to be launched if there were delays in the retrofitting works.</p>	
001301 – 002704	Chairman Dr Kenneth CHAN Administration	<p>Dr Kenneth CHAN queried –</p> <ul style="list-style-type: none"> (a) if wood waste could be diverted directly from the SENT Landfill to the wood waste recycler in the EcoPark when the SENT Landfill ceased to accept MSW; and (b) whether the Administration would introduce legislation so that RTSs and landfills would not accept wood waste. 	

Time marker	Speaker	Subject(s)	Action required
		<p>The Administration advised that –</p> <ul style="list-style-type: none"> (a) it had appealed to major wood waste producers to deliver the wooden pallets for recycling. Response had been positive; and (b) it was discussing with the wood recycler in the EcoPark to pick up wood waste delivered to the pier at the WENT Landfill from the West Kowloon Transfer Station ("WKTS"). <p>Dr Kenneth CHAN suggested that the Administration should consider introducing legislation if voluntary separation and recovery of wood waste was ineffective.</p>	
002705 – 002847	Chairman Mr POON Siu-ping Administration	<p>Mr POON Siu-ping asked when the improvement works of the Shatin Transfer Station ("STTS") would be completed.</p> <p>The Administration advised that –</p> <ul style="list-style-type: none"> (a) minor improvements in STTS, including modification of the computer system, had been completed to facilitate the reception of waste from private collectors; (b) planned major renovation works would proceed separately subject to funding approval from the Finance Committee; and (c) tenders for the major renovation project would be invited in mid-2015. 	
002848 – 003304	Chairman Mr Frankie YICK Administration	<p>Mr Frankie YICK expressed concern whether the private waste collection trade would have sufficient time to discuss with service users about the impact of the Waste Diversion Plan on operating cost and to negotiate the contract terms for renewal of waste collection contracts before the SENT Landfill stopped accepting MSW.</p> <p>The Administration responded that –</p> <ul style="list-style-type: none"> (a) a working group had been set up to maintain close and regular liaison between the trade and the Administration; (b) the Administration had repeatedly impressed upon waste collectors that the SENT Landfill would stop accepting MSW around end-2015 	

Time marker	Speaker	Subject(s)	Action required
		<p>and reminded them to make necessary preparation;</p> <p>(c) following the Finance Committee's funding approval for the extension of the SENT Landfill on 5 December 2014, the Administration would soon meet with the waste collection trade to remind collectors to expedite arrangements to adjust waste collection service contracts and collection routes; and</p> <p>(d) the Food and Environmental Hygiene Department was in the process of re-routing its refuse collection services to make available more RTS capacity at STTS and WKTS for use by private waste collectors.</p>	
003305 – 003540	Chairman Mr Frankie YICK Administration	<p>Mr Frankie YICK asked whether the Government would introduce administrative measures to require major producers of wood waste to deliver the materials to the wood waste recycler in the EcoPark.</p> <p>The Administration responded that the Secretary for the Environment had made personal appeal to major wood waste producers to deliver wood waste for recycling and the Government had offered to deliver wood waste received at the WKTS to the pier at the WENT Landfill in Nim Wan for collection by interested recyclers including the wood recycler at EcoPark.</p> <p>Mr Frankie YICK suggested the Administration should solicit assistance from the relevant trade associations in mobilizing their members to recover and deliver wood waste for recycling.</p>	
003541 – 004006	Chairman Administration	<p>The Chairman enquired about the contingency measures the Administration would adopt if the retrofitting works of RCVs and re-routing of RCVs could not be completed by the time when the relevant provisions under the Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 came into operation by the Commencement Notices.</p> <p>The Administration assured members that the retrofitting works of RCVs could be completed before 1 April 2015 since only 22 RCVs remained to be retrofitted.</p>	

Time marker	Speaker	Subject(s)	Action required
004007 – 004138	Chairman LegCo Secretariat	<p>At the invitation of the Chairman, the Clerk explained that the scrutiny period of the Commencement Notices would expire on 14 January 2015, or on 4 February 2015. If the scrutiny period was extended by resolution, it would expire on 4 February 2015.</p> <p>The Chairman announced that, taking into account the time for completion of the report of the Subcommittee to the House Committee, she would seek extension of the scrutiny period.</p>	
<i>Clause-by-clause examination of the Commencement Notices</i>			
004139 – 004320	Chairman Administration	<p><u>Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation 2013 (Commencement) Notice 2014</u></p> <p><u>Waste Disposal (Refuse Transfer Station) (Amendment) Regulation 2013 (Commencement) Notice</u></p> <p>Members raised no comment on the text of the Commencement Notices.</p>	
004321 – 004325	Chairman	Completion of scrutiny of the two Commencement Notices.	